IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

WP(C).No. 8543 of 2007(P)

OPMV.1443/2006 of MOTOR ACCIDENT CLAIMS TRIBUNAL, KOLLAM

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PETITIONER:

SAHARI,
SHIMSA MANZIL, PUNNAMOODU, VARKALA.

BY ADV. SRI.PRATHEESH.P

RESPONDENTS:

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1. **SIDHARDHAN,**
   P.S.SADANAM, POOTHAKKULAM, PARAVUR, KOLLAM.

2. **ALTHAF F., S/O. FASALU-DEEN,**
   MULLIKKADU, THEKKUMBHAGOM, PARAVUR,
   KOLLAM.

3. **NATIONAL INSURANCE CO. LTD.,**
   DIVISIONAL OFFICE, PARAMESWARAN PILLAI BHAVAN,
   HOSPITAL ROAD, KOLLAM.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR, J.

W.P.(C) NO. 8543 OF 2007-P

JUDGMENT

The petitioner has approached this Court, seeking a direction to the 3rd respondent Insurance Company to settle O.P.(MV) No.1443/2006, pending before the M.A.C.T., Kollam. I think the Insurance Company does not have any statutory duty to settle the claim petition and the petitioner does not have any corresponding legal right. So, a writ of mandamus cannot be issued to one of the parties to a litigation, to compel it to arrive at a settlement with the opposite side. In the result, the writ petition fails and it is dismissed.

14th March, 2007. K.BALAKRISHNAN NAIR, JUDGE.

Nm/